

Calendar No. 665

93<sup>d</sup> CONGRESS  
2<sup>d</sup> SESSION

# S. 3044

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 1974

Ordered to lie on the table and to be printed

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## AMENDMENTS

Intended to be proposed by Mr. BROCK to S. 3044, a bill to amend the Federal Election Campaign Act of 1971 to provide for public financing of primary and general election campaigns for Federal elective office, and to amend certain other provisions of law relating to the financing and conduct of such campaigns, viz:

1        On page 3, beginning with line 1, strike out through line  
2        4 on page 25.

3        On page 26, lines 2 and 3 , strike out "under section 504  
4        of the Federal Election Campaign Act of 1971, or".

5        On page 54, lines 3, 4, and 5, strike out "A candidate  
6        shall deposit any payment received by him under section 506  
7        of this Act in the account maintained by his central campaign  
8        committee."

9        On page 63, between lines 10 and 11, insert the following:

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## 1 "VOTERS INFORMATION PAMPHLETS

2 "SEC. 317. The Commission shall prepare and publish  
3 a voters information pamphlet for each State, and shall dis-  
4 tribute the pamphlet to residential postal addressees within  
5 that State during the period beginning thirty-five days be-  
6 fore the date of any general or special election held for the  
7 election of a candidate to Federal office and ending twenty  
8 days from the date of that election. The pamphlet shall con-  
9 tain party platforms, pictures, and brief biographies of the  
10 candidates for that office, and statements by those candidates.  
11 The statement of any candidate may not exceed one thou-  
12 sand five hundred words in the case of a candidate for elec-  
13 tion to the office of Vice President, Senator, Representative,  
14 Resident Commissioner, or Delegate, and may not exceed  
15 three thousand words in the case of a candidate for election  
16 to the office of President."

17 On page 63, line 12, strike out "SEC. 317. " and insert  
18 in lieu thereof "SEC. 318."

19 On page 63, lines 14 and 15, strike out "(after the ap-  
20 plication of section 507 (b) (1) of this Act) ".

21 On page 64, line 7, strike out "SEC. 318." and insert in  
22 lieu thereof "SEC. 319."

23 On page 64, line 9, strike out ", title V,".

24 On page 64, line 14, strike out "SEC. 319." and insert in  
25 lieu thereof "SEC. 320."

1       On page 71, beginning with line 20, *strike out through*  
2   line 2 on page 73 and insert in lieu thereof the following:

3       “(a) (1) Except to the extent that such amounts are  
4   changed under subsection (f) (2), no candidate (other than  
5   a candidate for nomination for election to the office of Pres-  
6   ident) may make expenditures in connection with his pri-  
7   mary election campaign in excess of the greater of—

8               “(A) 10 cents multiplied by the voting age popu-  
9   lation (as certified under subsection (g)) of the geo-  
10   graphical area in which the election for such nomination  
11   is held, or

12              “(B) (i) \$125,000, if the Federal office sought is  
13   that of Senator, or Representative from a State which is  
14   entitled to only one Representative, or

15              “(ii) \$90,000, if the Federal office sought is that  
16   of Representative from a State which is entitled to more  
17   than one Representative.

18       “(2) (A) No candidate for nomination for election to  
19   the office of President may make expenditures in any State in  
20   which he is a candidate in a primary election in excess of  
21   two times the amount which a candidate for nomination for  
22   election to the office of Senator from that State (or for  
23   nomination for election to the office of Delegate in the case  
24   of the District of Columbia, the Virgin Islands, or Guam,  
25   or to the office of Resident Commissioner in the case of

1 Puerto Rico) may expend in that State in connection with  
2 his primary election campaign.

3 “(B) Notwithstanding the provisions of subparagraph  
4 (A), no such candidate may make expenditures throughout  
5 the United States in connection with his campaign for that  
6 nomination in excess of an amount equal to 10 cents multi-  
7 plied by the voting age population of the United States.  
8 For purposes of this subparagraph, the term ‘United States’  
9 means the several States of the United States, the District of  
10 Columbia, and the Commonwealth of Puerto Rico, Guam,  
11 and the Virgin Islands and any area from which a delegate  
12 to the national nominating convention of a political party is  
13 selected.

14 “(b) Except to the extent that such amounts are  
15 changed under subsection (f) (2), no candidate may make  
16 expenditures in connection with his general election cam-  
17 paign in excess of the greater of—

18 “(1) 15 cents multiplied by the voting age popu-  
19 lation (as certified under subsection (g)) of the geo-  
20 graphical area in which the election is held, or

21 “(2) (A) \$175,000, if the Federal office sought is  
22 that of Senator, or Representative from a State which  
23 is entitled to only one Representative, or

24 “(B) \$90,000, if the Federal office sought is that

1 of Representative from a State which is entitled to more  
2 than one Representative.

3 “(c) No candidate who is unopposed in a primary or  
4 general election may make expenditures in connection with  
5 his primary or general election campaign in excess of 10  
6 percent of the limitation in subsection (a) or (b).

7 “(d) The Federal Election Commission shall prescribe  
8 regulations under which any expenditure by a candidate for  
9 nomination for election to the office of President for use in  
10 two or more States shall be attributed to such candidate’s  
11 expenditure limitation in each such State, based on the vot-  
12 ing age population in such State which can reasonably be  
13 expected to be influenced by such expenditure.

14 “(e) (1) Expenditures made on behalf of any candi-  
15 date are, for the purposes of this section, considered to be  
16 made by such candidate.

17 “(2) Expenditures made by or on behalf of any candi-  
18 date for the office of Vice President of the United States are,  
19 for the purposes of this section, considered to be made by the  
20 candidate for the office of President of the United States  
21 with whom he is running.

22 “(3) For purposes of this subsection, an expenditure is  
23 made on behalf of a candidate, including a Vice-Presidential  
24 candidate, if it is made by—

1           “(A) an authorized committee or any other agent  
2           of the candidate for the purposes of making any expendi-  
3           ture, or

4           “(B) any person authorized or requested by the  
5           candidate, an authorized committee of the candidate, or  
6           an agent of the candidate to make the expenditure.

7           “(4) For purposes of this section an expenditure made  
8           by the national committee of a political party, or by the  
9           State committee of a political party, in connection with the  
10          general election campaign of a candidate affiliated with that  
11          party which is not in excess of the limitations contained in  
12          subsection (i), is not considered to be an expenditure made  
13          on behalf of that candidate.

14          “(f) (1) For purposes of paragraph (2) —

15               “(A) ‘price index’ means the average over a cal-  
16               endar year of the Consumer Price Index (all items—  
17               United States city average) published monthly by the  
18               Bureau of Labor Statistics, and

19               “(B) ‘base period’ means the calendar year 1973.

20          “(2) At the beginning of each calendar year (com-  
21          mencing in 1975), as necessary data become available from  
22          the Bureau of Labor Statistics of the Department of Labor,  
23          the Secretary of Labor shall certify to the Federal Election  
24          Commission and publish in the Federal Register the per-  
25          centage difference between the price index for the twelve

1 months preceding the beginning of such calendar year and  
2 the price index for the base period. Each amount determined  
3 under subsections (a) and (b) shall be changed by such  
4 percentage difference. Each amount so changed shall be the  
5 amount in effect for such calendar year.

6 “(g) During the first week of January 1975, and  
7 every subsequent year, the Secretary of Commerce shall  
8 certify to the Federal Election Commission and publish in  
9 the Federal Register an estimate of the voting age popula-  
10 tion of the United States, of each State, and of each con-  
11 gressional district as of the first day of July next preceding  
12 the date of certification. The term ‘voting age population’  
13 means resident population, eighteen years of age or older.

14 “(h) Upon receiving the certification of the Secretary  
15 of Commerce and of the Secretary of Labor, the Federal  
16 Election Commission shall publish in the Federal Register  
17 the applicable expenditure limitations in effect for the calen-  
18 dar year for the United States, and for each State and con-  
19 gressional district under this section.”

20 On page 73, line 3, strike out “(b)” and insert in lieu  
21 thereof “(i)”.

22 On page 73, line 24, strike out “section 504” and insert  
23 in lieu thereof “subsection (g) ; and”.

24 On page 74, strike out lines 1 and 2.

1       On page 74, line 6, strike out “that Act” and insert in  
2    lieu thereof “the Federal Election Campaign Act of 1971”.

3       On page 74, line 8, strike out “(c)” and insert in lieu  
4    thereof “(j)”.

5       On page 74, line 10, strike out “(a) (4)” and insert  
6    in lieu thereof “(e) (3)”.

7       On page 75, line 6, strike out “(a) (5)” and insert in  
8    lieu thereof “(d)”.

9       On page 75, line 11, strike out “(a) (4)” and insert  
10   in lieu thereof “(e) (3)”.

11       On page 85, beginning with line 1, strike out through  
12   line 17 on page 86.



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